

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

<p>SECURITIES INVESTOR PROTECTION CORPORATION,</p> <p style="text-align: right;">Plaintiff-Applicant,</p> <p style="text-align: center;">v.</p> <p>BERNARD L. MADOFF INVESTMENT SECURITIES LLC,</p> <p style="text-align: right;">Defendant.</p>	<p>Adv. Pro. No. 08-01789 (CGM)</p> <p>SIPA LIQUIDATION</p> <p>(Substantively Consolidated)</p>
<p>In re: BERNARD L. MADOFF,</p> <p style="text-align: right;">Debtor.</p>	
<p>IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>QUILVEST FINANCE LTD.,</p> <p style="text-align: right;">Defendant.</p>	<p>Adv. Pro. No. 11-02538 (CGM)</p>

**STIPULATION AND ORDER  
EXTENDING DEFENDANT’S TIME TO APPEAL**

This Stipulation and Order is entered into by and between Plaintiff Irving H. Picard, as Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC (the “Trustee”), and Defendant Quilvest Finance Ltd. (now known as QS Finance Ltd.) (“Defendant,” and with the Trustee, the “Parties”), through their respective undersigned counsel.

### RECITALS

A. On April 12, 2022, Defendant filed its Motion to Dismiss the Complaint in this Adversary Proceeding, No. 11-02538 (CGM) [ECF No. 106].

B. On September 8, 2022, following briefing by the parties, this Court entered a Stipulation and Order to Waive Argument by which the parties agreed to rest on their papers and waive oral argument on the Motion to Dismiss [ECF No. 118].

C. On September 27, 2022, this Court issued its Memorandum Decision Denying Defendant's Motion to Dismiss [ECF No. 122].

D. On October 7, 2022, based on that Memorandum Decision, this Court entered its Order Denying Quilvest Finance Ltd.'s Motion to Dismiss the Complaint [ECF No. 123] (the "October 7, 2022 Order").

E. Under Bankruptcy Rule 8002(a)(1), the last day on which Defendant may file a notice of appeal from the October 7, 2022 Order is 14 days after entry of that order (*i.e.*, on October 21, 2022).

F. Defendant seeks an extension of time, to November 4, 2022, to file such a notice of appeal in order to consider whether to appeal and on what grounds, and if so, to prepare the required papers for a motion for leave to appeal.

G. Under Bankruptcy Rule 8002(d)(1), the Bankruptcy Court may extend the time to file a notice of appeal upon a party's motion that is filed within the time prescribed by Rule 8002 (*i.e.*, by October 21, 2022). Bankruptcy Rule 8002(d)(3) permits such an extension for up to 21 days after the time prescribed by Bankruptcy Rule 8002(a)(1) (*i.e.*, up to and including November 11, 2022).

H. No previous motion for an extension of time to file such notice of appeal has been made.

I. The Trustee consents to Defendant's request to extend their time to appeal to November 4, 2022.

**IT IS THEREFORE STIPULATED THAT:**

1. For purposes of Bankruptcy Rule 8002(d), this Stipulation and Order shall be deemed a motion by Defendant for an extension of time for filing (a) a notice of appeal from the October 7, 2022 Order and (b) a motion for leave to appeal in accordance with Bankruptcy Rules 8002(a)(1) and 8004(a) (collectively, the "Required Filings"), through and including November 4, 2022 (the "Extended Filing Deadline").

2. The Trustee consents to Defendant's motion for an extension of time, and this Court hereby grants it pursuant to Bankruptcy Rule 8002(d).

3. Accordingly, if Defendant wishes to appeal from the October 7, 2022 Order, Defendant shall make the Required Filings by the Extended Filing Deadline.

*[Remainder of page intentionally left blank.]*

Dated: October 14, 2022  
New York, New York

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**Dated: October 17, 2022  
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris  
U.S. Bankruptcy Judge**